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Chairperson: Mr. Alaei (Vice-Chairman). (Islamic Republic of Iran)**Contents**

Agenda item 109: Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions (*continued*)

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In the absence of Ms. Gittens-Joseph (Trinidad and Tobago), Mr. Alaei (Islamic Republic of Iran), Vice-Chairperson, took the Chair.

The meeting was called to order at 3.20 p.m.

Agenda item 109: Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions (continued) (A/55/12 and Add.1, A/55/471, A/55/472 and A/55/506-S/2000/1006)

1. Mr. Levitte (France), speaking on behalf of the European Union and the associated countries Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, Slovakia and Slovenia, paid tribute to the outstanding work of Ms. Ogata, the outgoing United Nations High Commissioner for Refugees and welcomed the appointment of Mr. Lubbers, her successor as a tribute to Europe's commitment to refugee issues. The Office of the United Nations High Commissioner for Refugees (UNHCR) was celebrating its fiftieth anniversary at a moment when the context for its activities had changed greatly. The millennium theme of the Executive Committee, "UNHCR @ 50: from response to solutions" had allowed for review of past actions and the time had come to build on those experiences and find new approaches to resolve current problems, for example through the promotion of coexistence.

2. New types of conflict had developed in which civilian populations were not only targets but also strategic pawns, a situation that contributed to forced displacements and exposed humanitarian personnel to violence. The European Union welcomed the fact that the Rome Statute of the International Criminal Court (ICC) criminalized attacks against humanitarian personnel. It supported the elaboration of a protocol to the 1994 Convention on the safety of United Nations and Associated Personnel with a view to extending its protection to all persons involved in humanitarian operations, and looked forward to a report of the Secretary-General on the conditions and criteria for the involvement of humanitarian personnel in high-risk operations. The humanitarian community as a whole must address the issue of safety and the question of what measures — such as special training and use of the latest communication technology — should be adopted. The safety of humanitarian personnel and integrated conflict-prevention and peace-consolidation

strategies should be important elements in the follow-up to the report of the Panel on United Nations Peace Operations (the Brahimi report — A/55/305-S/2000/809). The European Union also advocated the study of medium-term alternatives such as the use of civilian monitors or an international police force.

3. Situations where humanitarian assistance had not been possible owing to safety concerns were especially troubling, and he stressed the obligation of all parties in armed conflicts, including internal conflicts in particular States, to respect international humanitarian law, protect civilian populations, guarantee the safety of humanitarian personnel and allow free access to those requiring assistance. They must also — if necessary with the assistance of the international community — ensure that there were no armed groups in the refugee camps and that the location of those camps did not increase their vulnerability. He recalled in particular States' obligation to allow humanitarian assistance to reach internally displaced persons, and welcomed United Nations efforts to make assistance to displaced persons more effective such as, implementation of the Guiding Principles on Internal Displacement, which stressed an inter-institution approach and the role of the Emergency Relief Coordinator. Humanitarian action could not, however, replace political will, nor should it be used as an element of some political strategy. It must be impartial and meet the needs of all refugees in order to ensure that their sheer numbers did not become too heavy a burden or a new source of disruption.

4. It was essential for UNHCR to be guaranteed adequate and reliable financing, and he welcomed its recent budget reforms and urged it to continue to fulfil its mandate in the most effective manner possible. As the major contributor to UNHCR, the European Union called for increased effort and cooperation in order to meet UNHCR's needs and also welcomed the latter's initiatives to seek new funding sources, in particular in the private sector. New partnerships should also be formed in the areas of communications and information technology.

5. Respect for fundamental rights was essential for the prevention of crises which led to forced displacements of populations as well as for a return to peace and stability, and he noted UNHCR's comprehensive and collaborative approach to humanitarian situations, which stressed human rights. Children's rights in particular required special

vigilance, and he welcomed recent progress such as the adoption of the two Optional Protocols to the Convention on the Rights of the Child, in particular the Optional Protocol on the Involvement of Children in Armed Conflict. Increased emphasis on the rights of women refugees was also welcome, since women could play a decisive role in organizing life in the camps and promoting reconciliation.

6. Given the variety of situations in which UNHCR was required to operate the European Union, welcomed efforts to strengthen emergency-response capacity and to further develop its analytical capacities. Restructuring and modernization should yield rapid results, and the European Union was confident that decentralization measures would not leave headquarters out of touch with the situation in the field or affect the dialogue with donor countries, which must be kept informed in order to maintain their level of commitment.

7. Although there had been a slight increase in the number of refugees, in particular as a result of unresolved conflicts in various regions of Africa, and although poor weather conditions in Africa and Asia had worsened the situation of many refugees and displaced persons, more than 1.6 million refugees had returned home in 1999. Voluntary repatriation was the best of the sustainable solutions but was only possible with adequate guarantees of safety and dignity. Humanitarian agencies should therefore adopt a more strategic approach and make proposals for better-defined solutions which linked emergency relief and development, which would increase donations. UNHCR should also continue to build on the results of the round-table discussions held during the Executive Committee meetings.

8. With regard to the consultations on the 1951 Convention relating to the Status of Refugees, he noted the difficulty of distinguishing between asylum-seekers and migrants and expressed concern that a growing number of countries were raising obstacles to asylum-seekers and weakening their asylum regimes. The European Union would be a ready participant in those consultations, which should stress the relevance of fundamental principles of protection and confirm the 1951 Convention and the 1967 Protocol as cornerstones of the asylum process.

9. The development of regional asylum strategies would increase the quality of asylum and, to that end,

the European Union had developed a policy based on full implementation of the 1951 Convention and, in keeping with the spirit of the European Council meeting in Tampere, Finland, its member States were harmonizing their asylum policy and studying many of the same issues being addressed by UNHCR. For example, it was working to define standards for protection in cases of massive sudden influxes of refugees as a result of serious crises and was discussing standardization of measures relating to asylum-seekers. Current disparities had been shown to affect the destination chosen by asylum-seekers and also caused secondary movements. A European fund for refugees had been created to finance measures to ensure integration or voluntary repatriation of asylum-seekers and provide assistance for emergency measures in cases of sudden influxes of refugees.

10. The past 10 years had been decisive for UNHCR, during which its budget and staff had doubled, and it had become an essential actor in refugee and asylum matters. Under the High Commissioner's leadership, UNHCR, had become an instrument capable of adapting to the changing international situation and was continuing the process of modernizing its operations.

11. **Ms. Taft** (United States of America) paid tribute to Ms. Sadako Ogata, the outgoing High Commissioner, for her able leadership of UNHCR through the crises in Northern Iraq, the Balkans, Rwanda, Timor and elsewhere. The agency had been called upon to assume unprecedented responsibilities over the past decade. Her delegation saluted Ms. Ogata for speaking up in behalf of peace and reconciliation and for daring to challenge those who had sown conflict, who continued to hamper the return of their own citizens or who abused the human rights of refugees. Ms. Ogata had also tackled the issue of internally displaced persons, which was of particular concern to the United States Government.

12. On the issue of security, Ms. Ogata should be commended for taking the initiative of hiring special guards in the Democratic Republic of the Congo and negotiating her own special arrangements with the Tanzanian authorities.

13. Under Ms. Ogata's leadership, UNHCR had galvanized the international community to respond to the humanitarian imperatives of the day. However, the agency was not an independent actor. Member States

must collectively ensure that UNHCR fulfilled its mandate and made efficient use of its resources. It was also the obligation of all stakeholders to ensure that the agency was adequately funded, so that refugees received the care and protection they deserved. UNHCR could not be held accountable if donors did not improve their generosity; the United States, for its part, had pledged more than \$235 million in 2000.

14. The core principles of the 1951 Convention relating to the Status of Refugees remained valid, but in view of the complex flows of people in today's world, certain lacunae needed to be examined. UNHCR must also strengthen its overall emergency preparedness, including the development of a "surge capacity" to ensure rapid deployment in emergencies. It was also imperative to ensure that all refugees were properly registered. Most importantly perhaps, the security of both refugees and humanitarian personnel must be further addressed, given that the latter had become the unacceptable targets of conflicting parties seeking to politicize or disrupt humanitarian assistance. The recent loss of four UNHCR staff members in West Timor and in Guinea was a further reminder that States were responsible for safeguarding the physical security of humanitarian personnel. States must also bring to justice those responsible for the attacks.

15. Although Ms. Ogata had acted as a catalyst for the "Brookings process" (A/55/12, para. 4), UNHCR could not be expected to tackle on its own the issue of the transition from relief to development. The Committee should thus consider ways of ensuring that development actors were involved in the earliest stages of an emergency. The considerable contribution of developing countries acting as refugee host countries was also insufficiently recognized. It was high time the international community identified ways of helping them to ease the transition from relief to development.

16. Her delegation remained concerned about the protection of the most vulnerable groups among refugees, particularly women and children. Especially when forced to flee from their homes without their husbands and fathers, they were all too often the victims of physical violence and sexual abuse. His delegation welcomed the recent adoption by the Security Council of resolution 1325 (2000), which recommended that women in war zones should receive special treatment as victims of conflict and should be involved in peace negotiations.

17. Her Government warmly welcomed the choice of Mr. Ruud Lubbers, former Prime Minister of the Netherlands, as the new High Commissioner.

18. **Mr. Al-Aas** (Sudan) recalled that the Sudan's geographical position had made it a safe haven for refugees for over 30 years. The Sudan continued to pay the economic, social and environmental costs of large influxes of refugees, including the recent arrival of some 100,000 Eritrean refugees fleeing hostilities between Eritrea and Ethiopia.

19. The visit of the United Nations High Commissioner for Refugees to the Sudan had helped draw attention to the work being done by the international community, and particularly UNHCR, to alleviate the suffering of refugees seeking protection in that country. The Sudan very much hoped that international support would continue in order to facilitate the voluntary and safe return of all refugees. The Government was grateful for the High Commissioner's visit and for her able guidance of UNHCR over the past decade.

20. The killing and deliberate targeting of United Nations humanitarian personnel was deplorable. His Government extended its heartfelt condolences to the victims' families and urged all sides to guarantee the safety of all United Nations personnel working in the field.

21. Despite the myriad refugee problems which the Sudan faced, international resources for its refugee programmes had steadily declined. UNHCR had adopted a policy of gradual withdrawal from the country, reducing the amount of assistance offered to Eritrean refugees of long standing and thereby causing them considerable legal and humanitarian problems. Such measures should not be taken without involving the parties concerned, particularly since the Sudan had signed on 7 April 2000, a Tripartite Agreement with Eritrea and UNHCR (A/55/471, para. 4) which had raised hopes for the return of the Eritrean refugees.

22. The Sudan's environment and infrastructure had been devastated by the influx of refugees over a period of 30 years. The Government once more urged the international community to provide adequate compensation in order to facilitate the reclamation of the affected areas.

23. Just as the Sudan was always willing to offer refugees protection, security and assistance in its own

territory, it hoped that its nationals would enjoy similar or better treatment in neighbouring States, in accordance with commitments made pursuant to the relevant international instruments.

24. In that regard, the Sudan condemned the enlistment in refugee camps of child refugees used in armed conflict. The Sudan also sought permission to carry out visits to Sudanese refugees in neighbouring States in order to inform them about the situation in their home country and provide them with information which could facilitate their voluntary return.

25. The Organization of African Unity (OAU) Ministerial Meeting on Refugees, Returnees and Displaced Persons in Africa, held in Khartoum in 1998, (ibid, para. 72) had made a number of recommendations pertaining to the situation in Africa embodied in the Khartoum Declaration. UNHCR and the international community should play their part in supporting the implementation of those recommendations.

26. **Mr. Naess** (Norway) said that, for as long as the problem of people being forced to flee their homes persisted, the importance of UNHCR's work would remain undiminished.

27. UNHCR had been fortunate to have had a truly outstanding High Commissioner at its helm over a 10 year period in which the Office had faced some of the most pressing humanitarian emergencies of modern times. UNHCR had earned itself an excellent reputation, based on the commitment, courage and professionalism of its personnel. His Government saluted the achievements of the High Commissioner and her office in maintaining a delicate balance between the humanitarian imperative and the challenges of lack of access and security while at the same time providing protection and relief to those in need.

28. Over the years, various unmet protection needs had been identified, requiring new instruments and complementary forms of protection. The upcoming consultations on international protection would provide an opportunity to address those issues and ensure better implementation of protection instruments.

29. Humanitarian assistance should be accompanied by political and confidence-building measures. UNHCR interventions had contributed to conflict prevention, reconciliation, peace-building and

reconstruction. The agency would remain an indispensable partner for peace-building.

30. Norway supported the "ladder of options" concept, mentioned by the High Commissioner in her 1998 report (A/54/12, para. 175) as a way of dealing with the issue of security in refugee camps and their surrounding areas. It was encouraging that the concept had been placed on the agenda for United Nations inter-agency follow-up to the Brahimi report (A/55/305-S/2000/809).

31. It was tragic that humanitarian workers, including UNHCR staff, had sometimes been targeted in the field. Measures for enhanced protection of relief workers should be further strengthened both from within the inter-agency system and by Member States. The security of humanitarian workers and the thresholds or risk and responsibilities should be placed on the agenda of an inter-agency review.

32. UNHCR's achievements would not have been possible without the help of non-governmental organizations, the United Nations family and the Bretton Woods institutions. However, the international system was still too poorly equipped to tackle the transition from emergency relief to long-term development. Norway encouraged UNHCR to continue to bridge the gap between the humanitarian and development communities.

33. The tasks of UNHCR were diverse and complex and could only succeed with the requisite political and financial support. Norway would continue to do its part in that regard.

34. Many developing countries took on a heavy burden by accepting large numbers of refugees, often for long periods. The international community should attach greater value to the contribution made by such countries.

35. Norway very much welcomed the appointment of Mr. Lubbers to succeed Ms. Ogata as High Commissioner and was confident that his personal and professional qualities would greatly benefit UNHCR and the persons under its care.

36. **Mr. Dos Santos** (Mozambique), speaking on behalf of the States members of the Southern African Development Community (SADC), paid tribute to Ms. Ogata's tireless work and visionary leadership over the past decade. She had contributed, inter alia, to strengthening the agency's relations with the Security

Council and had helped the latter to better appreciate the link between political and humanitarian concerns. The SADC region was proud to have contributed to two of the most outstanding successes of the "Ogata era": the return and reintegration of Mozambican refugees and the repatriation of exiled South Africans following the dismantling of apartheid. SADC also pledged its full support to Mr. Lubbers, the incoming High Commissioner for Refugees.

37. At a time when UNHCR was marking 50 years of its existence and seeking to move from response to solutions, it was disconcerting to note that the number of people of concern was increasing, and that women and children made up the majority. SADC was, however, gratified to note that UNHCR was promoting gender-sensitive asylum procedures in countries of asylum.

38. SADC also wished to reiterate the appeal of the Council of Ministers of the Organization of African Unity (OAU) to the international community to provide adequate assistance to refugees in Africa, in the spirit of international solidarity and burden sharing. SADC also urged that resources should be equitably allocated in all regions of the world.

39. SADC hoped that the undertakings given by Heads of State at the Millennium Summit in respect of international cooperation and burden sharing would be translated into action as the new century unfolded. It was in that context that SADC welcomed the establishment of a UNHCR/OAU task force to follow up the implementation of the recommendations of the Khartoum Declaration adopted by the 1998 OAU Ministerial Meeting on Refugees, Returnees and Displaced Persons in Africa. SADC also welcomed the Global Implementation Plan adopted by the recent OAU/UNHCR Special Meeting of Governments and Non-Government Technical Experts organized in Conakry, Guinea on the occasion of the thirtieth anniversary of the OAU Refugee Convention.

40. SADC supported the adoption by the international community of broader, regionally based peace-building approaches to assist regions and countries emerging from the spiral of conflict, poverty and human displacement, with a view to addressing the problem of refugees and its far-reaching effects. To that end, SADC appreciated the decision by UNHCR to review its role in respect of internally displaced persons, and to adopt a policy of preparedness to respond to the calls

by the international community to assist groups of internally displaced persons.

41. SADC also appealed to the United Nations to avoid delays in providing assistance to African countries in need, in order to minimize violations of peace accords as well as a resumption of conflicts, which all too often resulted in further waves of refugees.

42. The open debate on refugees held by the Security Council in January had been most welcome. It was to be hoped that the synergies being built would be further enhanced. SADC would also cooperate fully with the initiative launched by UNHCR to commence global consultations with States, with the involvement of refugee experts, non-governmental organizations and refugees, aimed at revitalizing the international protection regime.

43. Mr. Satoh (Japan) said that his Government would continue to extend strong support for and cooperation with Mr. Lubbers, the incoming High Commissioner. Ms. Ogata had succeeded in championing the cause of human security throughout the decade of post-cold-war disorder, which had seen vast numbers of people forced to leave their homes, communities or countries as a result of conflicts and other predicaments.

44. The refugee issue was not new, but it was compounded by the complexity of the situation in the countries and regions involved, with communities often divided by religious and ethnic hatreds, governance and public security lacking, and poverty widespread. The challenges faced by Ms. Ogata and her staff had thus been unprecedented. UNHCR had often been forced to address such problems single-handedly in the field.

45. There was, indeed, a need for greater cooperation among the organizations concerned with refugees and displaced persons. The serious "gap" often mentioned by the High Commissioner between relief efforts and development activities must be addressed in order to maximize their effectiveness. Although greater cooperation among refugee organizations was now taking place under her leadership, such efforts remained inadequate. All actors — particularly UNHCR, the United Nations Development Programme (UNDP) and the World Bank — should thus redouble their efforts to achieve better coordination, activities,

particularly in the field. Japan, for its part, was prepared to participate in such efforts.

46. His delegation also wished to reiterate the importance of more focused efforts to ensure the security of humanitarian personnel. In that context, the General Assembly should follow the Secretary-General's recommendation to pursue the development of a protocol to the 1994 Convention on the Safety of United Nations and Associated Personnel. Japan, for its part, would provide a further \$ 1 million to support United Nations training programmes aimed at enhancing the security of field personnel. It hoped that other countries would also join in that effort.

47. Japan accorded the highest priority to the issue of refugees and internally displaced persons globally and remained firmly committed to UNCHR.

48. **Archbishop Martino** (Observer for the Holy See) said that the wealth of information contained in the High Commissioner's report (A/55/12) would be helpful for the work carried out by the Catholic Church through its various relief agencies. In June 2000, the Vatican had issued its own Jubilee Charter of Rights of Displaced People.

49. The work of the United Nations in providing assistance to refugees and displaced persons had been consistently successful and deserving of praise. The return, resettlement and reintegration of refugee populations were commendable parts of the High Commissioner's work. The Holy See extended its best wishes and gratitude to the High Commissioner for her years of dedicated service, and offered its support and congratulations to her successor.

50. Unfortunately, refugee problems continued unabated in the modern world. According to the High Commissioner's report (para. 1), the global population of concern to UNHCR had increased by about 800,000 persons in 1999 to reach a total of 22.3 million, of whom 11.6 million were refugees and 4.08 million internally displaced persons (ibid, table 3). Between 50 and 70 per cent of refugees were children, some having lived their entire lives in refugee camps. As the most vulnerable group, children needed special protection to guarantee their rights and provide them with hope for the future.

51. Poor countries often bore the heaviest refugee burden and in many countries the quality of protection and shelter had declined. More international solidarity

was needed, particularly from wealthier nations which accepted only a small part of the burden. Without tangible support, humanitarian crises would continue into the future.

52. As the report had indicated (para. 12), the protection by States of the fundamental rights of all people subject to their jurisdiction was the key to changing the situation of refugees and displaced persons. The Holy See continued to call for the peaceful resolution of conflicts and respect for human dignity. It was convinced that the protection of human rights should never be subordinated to economic and political interests.

53. The Holy See advocated the development of a clearer system of responsibility for internally displaced persons, and welcomed the preparatory work for the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, hoping that the event would enhance awareness of cultural diversity and of the need never to use race, culture, religion, language or ethnic origin to force people from their homes.

54. A staggering number of people were seeking refuge from war or persecution, and the provision of assistance was becoming an increasingly complex challenge. At the same time, the international system of protection was being eroded and new barriers to asylum were being erected. Protection and security should be seen as the most important part of UNHCR's work, especially when other international and local agencies depended on United Nations protection to be able to provide humanitarian assistance.

55. The Holy See welcomed the special attention given in the report (ibid, para. 21) to family protection issues and to the role of the family in assuring the well-being of its members. Reintegration in the homeland or integration in a new country was indeed best effected through the family unit.

56. The Holy See would continue to support UNHCR in its work and would pray for the day when the High Commissioner's report would contain nothing but good news.

57. **Mr. Amoros Nuñez** (Cuba) stressed the important role played by UNHCR in meeting the needs of refugees and noted the role played by Cuban doctors in providing health services to refugees through UNHCR, thereby reducing the burden on local health

services, in keeping with Cuba's traditional support for UNHCR. Cuba had also received many refugees and every effort had been made to integrate them into Cuban society, in spite of the fact that Cuba was a developing country and still suffered from the effects of the United States economic embargo. The only exceptions to that practice had been situations where the sheer number of refugees had forced the authorities to request the assistance of UNHCR in sharing the burden.

58. Given the rising numbers of person requiring assistance, he expressed concern at the recent downward trend in the UNHCR budget. He also deplored the fact that, whereas resources had been found for high-profile emergency situations in Kosovo, East Timor and the northern Caucasus, the General and Special Programmes budget, particularly with regard to Africa, where the need was just as great, had been reduced.

59. The total number of refugees had increased, and the causes of the refugee crisis could not be limited to political and human-rights issues but were to a large extent the result of violence, poverty, economic inequality and lack of resources. In the light of the need for voluntary repatriation of the refugees or their integration in the host country, it was more urgent than ever to provide greater resources and support for the efforts of developing countries with large refugee populations.

60. Although there had recently been unprecedented efforts to strengthen assistance programmes for internally displaced persons, those efforts had been undertaken with little consultation with Governments, including many of the countries affected. The development of guidelines or principles for the planning and implementation of humanitarian assistance to such persons must be discussed and approved by Member States. Failure to do so would increase the suffering of that population.

61. Full respect for the principles of international humanitarian law was a fundamental aspect of UNHCR activities. His Government would continue to cooperate with that agency to provide assistance in refugee camps and areas of massive influxes of refugees, which should also be a priority for the entire international community.

The meeting rose at 4.40 p.m.